

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

PRESTON GRIFFITH, a minor, by and
through his Conservators and Parents,
DANA GRIFFITH and LINDSEY LEE;
and LINDSEY LEE,

Plaintiffs,

vs.

FIRST CHOICE HEALTH
NETWORK, INC., and JOHN DOES 1-
2

Defendants.

CV 20-171-M-DLC

ORDER

Before the Court is Plaintiffs' Unopposed Motion to Amend Complaint,
Withdraw First Choice's Motion for Summary Judgment, and Remand Matter to
State District Court. (Doc. 21.)

IT IS ORDERED that the motion (Doc. 21) is GRANTED. Thus, IT IS
FURTHER ORDERED that:

- (1) Plaintiffs are granted leave to file the Second Amended Complaint
and Demand for Trial by Jury. (*See* Doc. 21-1.)
- (2) Defendant First Choice Health Network, Inc.'s Motion for Summary
Judgment (Doc. 15) is WITHDRAWN without prejudice.

(3) After Plaintiffs file the Second Amended Complaint and Demand for Trial by Jury, this case is REMANDED to the Eleventh Judicial District Court, State of Montana, in and for the County of Flathead for further proceedings.

(4) The trial set for April 25, 2021 and all associated deadlines (Doc. 13) are VACATED.

DATED this 27th day of July, 2021.



Dana L. Christensen, District Judge
United States District Court